

Douglas T. Sloan, City Attorney (State Bar #194996)
Tina Griffin, Chief Assistant City Attorney (State Bar #210328)
CITY OF FRESNO
2600 Fresno Street, Room 2031
Fresno, California 93721-3602

BETTS & RUBIN, A Professional Corporation
907 Santa Fe Avenue, Suite 201
Fresno, California 93721
Telephone: (559) 438-8500
Facsimile: (559) 438-6959
James B. Betts (State Bar #110222)
Joseph D. Rubin (State Bar #149920)

Attorneys for Defendant CITY OF FRESNO, JERRY DYER, ANDREW HALL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

12	TEMUJIN BUSTOS,)	Case No. 1:20-cv-00066-DAD-BAM
13)	
14	Plaintiff,)	STIPULATION TO AMEND
15)	SCHEDULING CONFERENCE ORDER;
16	vs.)	AND ORDER THEREON
17)	
18	CITY OF FRESNO, a Public Entity; CHIEF)	
19	OF POLICE JERRY P. DYER, individually)	
20	and in his capacity as Chief of the Fresno)	
21	Police Department; CHIEF OF POLICE)	
22	ANDREW HALL, individually and in his)	
23	capacity as Chief of the Fresno Police)	
24	Department; and DOES 1 to 10, inclusive,)	
25)	
26	Defendants.)	

IT IS HEREBY STIPULATED AND AGREED, by and between the parties,
through their respective counsel of record, as follows:

1. This litigation involves an employment discrimination/civil rights action
Against the City of Fresno and two former Police Chiefs based upon multiple
promotional opportunities.

2. The Scheduling Conference Order in this matter was filed on September 22, 2020 (Document No. 26). An Amended Scheduling Order was filed on June 21, 2021. (Document No. 32). No trial date is set.

3. Counsel for Plaintiff recently left the law firm; thus new counsel is trying to get up to speed regarding this lawsuit;

4. Recently, Plaintiff filed a stress claim and currently is on medical leave. This has delayed his ability to make himself available for deposition;

5. The facts outlined in the preceding paragraphs have made it difficult to Continue meet and confer efforts regarding medical and psychiatric records that were previously subpoenaed and sought by way of inspection demands;

6. The parties have undertaken preliminary written discovery and have Produced over 6,000 pages of documents. They are currently working through privilege issues.

7. The pandemic has significantly delayed depositions in this matter. All Parties have put off depositions with the belief that the depositions will be more beneficial in this type of litigation if they are in person. The City still has significant restrictions on employees and its outside counsel.

8. All parties believe that a 120-day extension on the remaining deadlines in The Scheduling Conference Order would greatly assist the parties in completing discovery, retaining experts, having further settlement discussions and preparing for trial. Thus, the parties propose the following dates:

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	<u>Current Date</u>	<u>New Date</u>
Expert Disclosure:	01/18/2022	05/18/2022
Supplemental Expert Disclosure:	02/09/2022	06/09/2022
Non-Expert Discovery Cutoff:	12/31/2021	04/29/2022
Expert Discovery Cutoff:	03/12/2022	07/08/2022
Pretrial Motion Filing Deadline:	03/30/2022	07/28/2022
Pretrial Conference:	08/02/2022	11/30/2022

9. Thus, it is respectfully requested that the Scheduling Conference Order be modified by 120-days.

Dated: November 2, 2021

BETTS & RUBIN

By /s/ Joseph D. Rubin
Joseph D. Rubin
Attorneys for Defendants CITY OF FRESNO,
JERRY DYER, ANDREW HALL

Dated: November 2, 2021

CASTILLO HARPER, APC

By /s/ Brandi L. Harper
Brandi L. Harper
Attorneys for Plaintiff Temujin Bustos

O R D E R

Upon reading the foregoing Stipulation of the parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that:

1. The Scheduling Order will be modified in the following manner:

Expert Disclosure:	05/18/2022
Supplemental Expert Disclosure:	06/09/2022
Non-Expert Discovery Cutoff:	04/29/2022
Expert Discovery Cutoff:	07/08/2022
Pretrial Motion Filing Deadline:	07/28/2022

2. The Pretrial Conference will be modified as follows:

Pretrial Conference: **November 28, 2022 at 1:30 p.m. in Courtroom 5 (DAD)**
before District Judge Dale. A. Drozd.

IT IS SO ORDERED.

Dated: November 2, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE